

CITY OF SAN JOSÉ, CALIFORNIA
 Department of Planning, Building and Code Enforcement
 801 North First Street, Room 400
 San José, California 95110-1795

STAFF REPORT

Hearing Date/Agenda Number
 P.C. 11/19/03 Item: 3.e.

File Number
 PDC 03-050

Application Type
 Planned Development Rezoning

Council District
 6

Planning Area
 Willow Glen

Assessor's Parcel Number(s)
 439-55-062

PROJECT DESCRIPTION

Completed by: Anastazia Aziz

Location: East side of Hicks Avenue approximately 320 feet south of Dry Creek Road

Gross Acreage: 1.74

Net Acreage: 1.74

Net Density: 5 DU/AC

Existing Zoning: R-1-5 Residence

Existing Use: Religious Assembly

Proposed Zoning: A(PD) Planned Development

Proposed Use: Single-family Residential

GENERAL PLAN

Completed by: AA

Land Use/Transportation Diagram Designation
 Public/Quasi-Public

Project Conformance:
☒ Yes ☐ No
☐ See Analysis and Recommendations

SURROUNDING LAND USES AND ZONING

Completed by: AA

North: Single-family Residential

A(PD) Planned Development

East: Institutional

R-1-8 Residence

South: Single-family Residential

R-1-5 Residence

West: Single-family Residential

R-1-5 Residence

ENVIRONMENTAL STATUS

Completed by: AA

☐ Environmental Impact
☒ Negative Declaration circulated on October 30, 2003
☐ Negative Declaration adopted on

☐ Exempt
☐ Environmental Review Incomplete

FILE HISTORY

Completed by: AA

Annexation Title: Meridian No. 53

Date: 07/06/1971

PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

☐ Approval
☒ Approval with Conditions
☐ Denial

Date: _____

Approved by: _____
☐ Action
☒ Recommendation

APPLICANT/DEVELOPER

OWNER

Ray Bold, Charles Davidson Co.
 255 W. Julian St. #200
 San Jose, CA 95110

Gateway Community Church
 1952 Hicks Avenue
 San Jose, CA 95125

PUBLIC AGENCY COMMENTS RECEIVED

Completed by: AA

Department of Public Works

See attached memo

Other Departments and Agencies

See attached memorandum from Environmental Services and Fire Departments .

GENERAL CORRESPONDENCE

See attached correspondence from Margaret Jones dated October 21, 2003, Greg Hoffman dated October 8, 2003, James Herr dated September 21, 2003, Mildred Newgren dated September 4, 2003, Terry Deinert dated August 29, 2003, Vincent Cosentino dated November 3, 2003.

ANALYSIS AND RECOMMENDATIONS**BACKGROUND**

The applicant, Charles Davidson Co., is requesting a Planned Development Rezoning to allow a total of eight single-family detached units on a 1.74 gross acre site. A Planned Development Zoning is required because the property is designated *Public/Quasi-Public* on the General Plan Land Use Transportation Diagram and because the applicant proposes to access four of the lots via a private driveway instead of a public street.

Site Conditions and Context

The property is a through lot, having frontage on both Hicks Avenue and Cherry Avenue. One non-historic religious assembly building, circa 1950, currently exists on the site and is proposed for demolition. An ordinance-size oak tree is proposed for preservation. Predominantly single-family residential uses surround the site. The properties to the north, south and west are developed with single-family detached units. Willow Glen Education Park is located directly to the east. Booksin Elementary School is located one block to the west. The property links Hicks and Cherry Avenues on a very long block that extends between Dry Creek Road and Georgette Avenue.

The property is located two long blocks north of Curtner Avenue. Currently, VTA operates bus No. 26 along Curtner Avenue which provides service to downtown Campbell and the Curtner Light rail station.

Project Description

The proposal illustrates two residences with frontage on Hicks Avenue and two residences with frontage on Cherry Avenue. Vehicular and pedestrian circulation to the interior of the site is provided via a private driveway along the northern portion of the property which intersects with Cherry Avenue.

The applicant proposes two floor plans and residential designs both of which reach a maximum height of approximately 30 feet (two stories) and approximately 4,000 square feet. The lot sizes range from approximately 6,300 to 8,000 square feet. Each unit provides three covered parking spaces in either a doublewide garage configuration with one tandem space or a doublewide garage and a separate single-car garage with an 18-foot driveway apron. A total of four guest parking stalls are provided on the private

driveway and additional guest spaces are provided on both the Cherry Avenue and Hicks Avenue public rights-of-way. Private, outdoor open space is provided for all units.

The property immediately to the north of the site is developed with three single-family residences in a flag-lot configuration accessed by a private driveway from Cherry Avenue immediately adjacent to the subject proposal. The developer is working with owners of the residences immediately to the north of the site to allow the properties to use the new driveway to access the residences, which would allow the existing driveway to be closed and reduce the number of curb cuts (see Sheet 3A). In this scenario, one driveway would serve seven residences, three of which are existing.

ENVIRONMENTAL REVIEW

A Draft Negative Declaration was circulated for this project based on an Initial Study, which concluded that the project would not result in a significant environmental impact. An historic report prepared by Preservation Architect in October, 2003 evaluated the historical significance of the existing on-site building and concluded the building was not significant from an architectural standpoint and was not associated with any notable historic figures or events. The City's Historic Preservation Officer reviewed the report and concurs that the buildings are not of historic significance. Staff will work with the applicant to ensure that the buildings are offered for salvage prior to demolition.

Due to the property's location in an area of archeological sensitivity, a monitoring and reporting program by a qualified professional archaeologist is required to identify and preserve subsurface archaeological resources that may be encountered during construction.

Two non-ordinance-size trees are proposed for removal. One existing ordinance-size Oak tree is proposed for preservation. Staff will continue to work with the applicant to retain and/or relocate as many trees as possible.

COMMUNITY OUTREACH

A well-attended community meeting was held on August 28, 2003 at the subject site. Community members generally expressed support for the proposal. Notices of the community meeting, Mitigated Negative Declaration and the public hearings were mailed to all property owners and tenants within 1,000 feet of the subject site. Notice of the public hearings was also published in the newspaper.

GENERAL PLAN CONFORMANCE

The subject site is designated *Public/Quasi-Public* on the General Plan Land Use/Transportation Diagram. This designation is generally used to designate public land uses, including schools, homeless shelters, libraries, water treatment facilities, and government offices. The General Plan contains a Discretionary Alternate Use Policy that speaks to lands with this designation. The Policy states that property with this designation may be approved for alternative uses via a Planned Development Zoning provided the alternate use is compatible with existing and planned uses on neighboring properties and is of superior design.

The project proposes to develop eight single-family detached residential units on the property. Single-family uses are adjacent to the property to the north, south, and west of the site and the addition of single-family residences on the subject property would complement the existing uses and is compatible with the established single-family detached pattern of the neighborhood.

ANALYSIS

The primary issues associated with this proposal are access and parking and building massing.

Access and Parking

Staff originally requested that the project include a public street connecting Hicks and Cherry Avenues, but due to concern that this would result in cut-through traffic in the neighborhood, staff agreed that the proposed private driveway would be acceptable provided that it included a public pedestrian connection between the two streets. The applicant originally included in the project a through sidewalk to link Hicks and Cherry Avenues (see Figure A), but subsequently eliminated the pedestrian connection. As currently proposed, the sidewalk extends west from Cherry Avenue and ends at Unit 6. Currently, connections between Hicks Avenue and Cherry are limited to Georgetta Drive located well over 550 feet south of the subject site and Dry Creek Road, which has no pedestrian sidewalks. The neighborhood lacks convenient pedestrian connections from the neighborhood west of Hicks Avenue to the school uses on Cherry Avenue and from the residences on Cherry Avenue to the elementary school located west of the site on Marques Avenue. Given the location of the schools on Cherry Avenue and the dearth of through streets between Hicks and Cherry, staff believes that the requested public pedestrian access through the site is essential to prevent this project from becoming a barrier to pedestrian movements, and to provide the kind of neighborhood connectivity that is characteristic of the area. Staff recommends the proposal be revised to accommodate a public pedestrian access through the site from Hicks Avenue to Cherry Avenue.

An additional access issue involves the proposal that the driveway for this project also serve the adjacent flag-lot development. This would allow the three adjacent lots that currently take access from Cherry Avenue to take access directly from the proposed driveway and to create front yards oriented to the proposed driveway, providing much better integration of the new project with the adjacent residences. The applicant has approached the three property owners and all seem supportive of the concept. Combination of the two driveways would reduce the number of curb cuts on Cherry Avenue, provide a better streetscape environment along the private driveway, increase the landscape area for the units to the north, provide additional street parking. Modifications to the adjacent property necessary to achieve this design will require a Permit Adjustment that will be approved concurrent with the Planned Development Permit for this project.

The proposal meets the required parking ratios specified by the Residential Design Guidelines for single-family units with an 18-foot driveway apron, namely two covered spaces per unit and one guest space per unit. Each unit accommodates three covered parking spaces in an attached garage configuration. Four guest spaces are provided on the driveway and four guest parking spaces are accommodated along the property frontage on both Hicks Avenue and Cherry Avenue. Despite the provision of three covered parking spaces, no parking reduction for guests is proposed for this project.

Building Massing

The applicant is proposing large houses, at least one of which exceeds an FAR of 0.60. Staff is concerned that the houses be appropriately scaled so that they are compatible with the surrounding neighborhood and will work with the applicant at the Planned Development Permit stage to minimize the perceived scale of the units as viewed from the public streets.

Conclusion

Given the location of the parcel situated between Hicks Avenue and Cherry Avenue and its proximity to two schools, staff recommends that a public pedestrian access through the site be reintegrated into the design as originally proposed by the applicant. With the addition of this pedestrian access, the project provides

additional infill housing in a configuration that is in compatible with the surrounding neighborhood and consistent with the General Plan.

RECOMMENDATION

Planning staff recommends the Planning Commission forward a recommendation of approval with the following condition:

1. The applicant shall revise the General Development Plan to provide a public pedestrian access through the site between Hicks and Cherry Avenues.

With the inclusion of the above condition, staff recommends City Council adopt an ordinance rezoning the subject site for the following reasons:

1. The proposed project is consistent with the San José 2020 General Plan Land Use/Transportation Diagram designation of *Public Quasi-Public*.
2. The project furthers the goals and objectives of the City's infill housing strategies.
3. The proposed rezoning is compatible with existing and proposed uses on the adjacent and neighboring properties.

Attachments